

**PHYSICAL THERAPY BOARD OF CALIFORNIA**

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**Physical Therapy Board of California  
Meeting Minutes  
November 4 & 5, 2004**

Hilton Oakland Airport Hotel  
1 Hegenberger Road  
Oakland, California 94621  
(510) 383-4056

<b>Thursday, November 4, 2004</b>	<b>9:00 A.M.</b>	<b>- Board Meeting &amp; Licensing &amp; Practice Issues Committee Meetings</b>
	<b>1:30 P.M.</b>	<b>- Regulatory Hearings &amp; Public Forums</b>
<b>Friday, November 5, 2004</b>	<b>8:30 A.M.</b>	<b>- Board Meeting</b>
		<b>Thursday November 4, 2004 9:00 A.M.</b>

**1. Call To Order and Roll Call**

President Donald Chu called the meeting of the Physical Therapy Board of California to order at 9:03 a.m. Roll call was taken.

Donald Chu  
James Turner  
Ellen Wilson  
Julie Brandt  
Lorraine Kimura  
Randi Woodrow

All members except Julie Brandt were present.

*The minutes are to reflect, at the discretion of President Chu, agenda items 20, 23, 25, 26, 27, and 28 were moved to November 4, 2004.*

**2. Approval of Minutes**

(A) August 2 & 3, 2004 – Board Meeting

Moved by Ellen Wilson, Seconded by James Turner to approve the August 2 & 3, 2004 Board meeting minutes as written. Vote: 5-0. Motion Carried.

**3. President's Report – Donald Chu, PhD, PT**

- (A) Update
- (B) 2005 Meeting Dates

President Chu reviewed the 2005 Meeting Dates included in the agenda book. Per Ms. Wilson's request the members agreed to change the November Board meeting date to October 27 and 28, 2005 and directed staff to

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negotiate holding the meeting again at the Hilton Oakland Airport. The minutes are to reflect the Federation of State Boards of Physical Therapy's Annual Conference is on September 9 through 12, 2005 and the California Physical Therapy Association's Annual Conference is on October 21 and 22, 2005.

### (C) Out-of-State Travel

Mr. Hartzell reported Department of Consumer Affairs has not been approving out-of-state travel. He informed the Board if any member chooses to attend an out-of-state conference they may be doing so at their own expense.

## 4. FSBPT Liaison Report – *Donald Chu, PhD, PT*

### (A) APTA Challenge to FSBPT's Compliance with NPTE Transfer Agreement

President Chu handed out a report summarizing the FSBPT's meeting and reported on the conflict the American Physical Therapy Association (APTA) is having with the FSBPT in terms of the examination fee increase the FSBPT is trying to impose. He also provided an overview of the motions that took place at the FSBPT meeting.

Mr. Hartzell explained the examination development process, the FSBPT's justification for increasing the cost of national examination, and the APTA's concern regarding the amount of the increase.

### (B) Annual Meeting

Mr. Hartzell reported currently he is not on a FSBPT Committee and gave an overview of his experience at the FSBPT meeting.

## 5. Executive Officer's Report -*Steven K. Hartzell*

### (A) Update

Mr. Hartzell reported he recently had a meeting with the Director of DCA to discuss the fee regulation and felt the meeting was very productive. He explained the Applicant Tracking Automated System is being reviewed again by DCA and that staff has been working closely with DCA in the developing of this system. Mr. Hartzell reported the language in the examination contract with the FSBPT is presenting a problem in finalizing the contract. The examination contract only affects applicants that do not wish to register online with the FSBPT to take the examinations. At this time the Board has not experienced problems with applicants not being able to register online. Therefore, not having a contract in place hasn't affected the applicants. Mr. Hartzell is planning on preparing a BCP to address the ongoing budgetary needs of the Board.

### (B) 2003 - 2004 Budget

Mr. Hartzell reported the 2003-2004 Budget is now officially closed.

### (C) 2004 - 2005 Budget

Mr. Hartzell reported DCA did not include the 2004-2005 Budget figures in the report.

### (D) 2005 - 2006 Budget & BCP's

Mr. Hartzell reported the 2005-2006 Budget is in the initial phase of development.

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### **6. Newsletter – *Debi Mitchell***

Ms. Mitchell reported the latest newsletter was mailed at the end of September and the Board received a lot of positive comments at the CPTA's Annual Conference in October.

President Chu suggested staff to keep the positive comments that are received from licensees and consumers to assist in justifying the need to continue with publishing the newsletter.

Ms. Wilson indicated she would provide an article on the ELEERs for the next newsletter. President Chu volunteered to compose an article on physical therapists practicing physical therapy on traveling athletic teams and on SB1485.

Ms. Wilson suggested adding to the disciplinary section of the newsletter the names that are being listed are for public information.

### **7. Physical Therapy Practice Act Review Task Force – *Lorraine Kimura, PT***

Ms. Kimura reported on the status of the Physical Therapy Practice Act Review Task Force and reviewed the summary that was handed out. She expressed her appreciation to all of the task force members for all of their hard work and dedication. The task force is anticipating meeting several more times to accomplish their tasks in preparation for the Strategic Planning Session.

Ms. Kimura presented a question from the task force on section 101.6 of the Business and Professions Code (B&P Code), which says the Board will conduct periodic checks on licentiates to certify compliance with the practice act. This is not in the regulations, should it be included, should investigations be a part of complaint investigations?

Mr. Hartzell responded section 101.6 is a general B&P Code that the Board has never been funded to oversee. He is not aware of any other health board that monitors compliance. This would require budget authority. This is a statute that is there to give the Board the authority if they choose to develop a program to monitor every licensee in the State of California on a routine basis.

### **8. Rulemaking – *Rebecca Marco*** (A) 2004 Regulations in Process

Ms. Marco reported on the rulemaking calendar included in the agenda book and pointed out the regulations that are now in effect: 1399.70 EMG, 1399.26 Cite and Fine, and 1399.16 Initial Probationary License. Ms. Marco indicated the reason DCA is backlogged in reviewing the rulemaking packages is they are aggressively scrutinizing each rulemaking package. Mr. Miller confirmed Ms. Marco's statement regarding DCA's review.

Mr. Hartzell explained the Prefix, Affix, and Suffix is under strict review by DCA and expects a huge hurdle for this regulation to go through.

#### (B) 2005 Rulemaking Calendar

Ms. Marco informed the Board if they have any other regulations that are not listed on the 2005 rulemaking calendar this is the time to add them. The Board cannot review regulations that are not listed on the calendar.

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Mr. Hartzell suggested adding the examination regulations on the calendar since the Board will be reviewing the California Law and Regulation Examination next year. He also reminded members that next year the Board will be going into Sunset Review and staff would be preparing that report, which may not allow staff to dedicate a lot of extra time to additional regulations.

Moved by Randi Woodrow, Seconded by Lorraine Kimura to approve the 2005 Rulemaking Calendar in the agenda book and to delegate to the Board President the authority to add any additional regulations to the calendar if needed at the end of the year. Vote: 5-0. Motion Carried

### **9. Evaluation of Executive Officer - CLOSED SESSION (Per Title 2, Division 3, Part 1, Section 11126(q)(1) of the Government Code)**

The Board met in closed session to discuss the evaluation of the Executive Officer.

### **10. Licensing and Practice Issues Committee Meetings**

The entire Board met to address the Licensing and Practice Issues Committee Meeting agendas. The meeting bullets are included at the end of the meeting minutes.

**1:30 P.M.**

### **11. *Regulatory Hearing on the Proposed Language for Section 1399.50, Physical Therapy Fees, and 1399.52, Physical Therapist Assistant Fees for Board*** (A) Hearing

Mr. Miller, Legal Counsel, opened the Regulatory Hearing on the Proposed Language for Section 1399.50, Physical Therapy Fees, and 1399.52, Physical Therapy Assistant Fees to receive written or public comments at 1:30 p.m.

There were no public or written comments received.

(B) Board's Consideration of Comments Received at Regulatory Hearing and Approval of Preparation of Final Statement of Reasons

Moved by James Turner, Seconded by Ellen Wilson to accept the language as written for 1399.50 and 1399.52. Vote: 5-0. Motion Carried.

### **12. *Regulatory Hearing on the Proposed Language for Section 1398.26.1 Satisfactory Documentary Evidence of Equivalent Degree for Licensure as a Physical Therapist*** (A) Hearing

Mr. Miller, Legal Counsel, opened the Regulatory Hearing on the Proposed Language for Section 1398.26.1 Satisfactory Documentary Evidence of Equivalent Degree for Licensure as a Physical Therapist to receive written or public comments at 1:38 p.m.

There were no public or written comments received.

(B) Board's Consideration of Comments Received at Regulatory Hearing and Approval of Preparation of Final Statement of Reasons

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Moved by Ellen Wilson, Seconded by James Turner to accept the language as written for 1398.26.1. Vote 5-0.  
Motion Carried.

**13. *Public Forum on Proposed Amendment to Section 1399 of the California Code of Regulations - Physical Therapy Aide Supervision***

(A) Public Forum

(B) Board Discussion and Decision

President Chu opened the Public Forum on the Proposed Amendment to Section 1399 of the California Code of Regulations, Physical Therapy Aide Supervision for public or written comment.

Mark Soto, PT, feels the use of the physical therapy aide is in conflict with the Boards mission and goals. He is opposed to the use of physical therapy aides performing patient related tasks. The best way for the Board to protect the consumer is to eliminate the use of physical therapy aides.

Mr. Hartzell suggested the Board consider adding language for the physical therapist to document the aide has been adequately trained by the physical therapist to perform the physical therapy task that is being delegated to them.

President Chu reminded members in prior meetings they did consider changing the language to identify specific patient related tasks a physical therapy aide could perform. President Chu charged the Physical Therapy Practice Act Review Task Force to review the current supervision regulation and to take into consideration the public comments received to determine if the language needs revision.

Patty Evans, CEO at CPTA, reported the APTA advocates the elimination of the use of physical therapy aides performing patient related tasks. Ms. Evans remembers the APTA at one time had guidelines for on the job training of physical therapy aides, which eventually were abolished. At President Chu's request she will try to locate the APTA's past guidelines on physical therapy aides.

Rick Ritter, CPTA, addressed working as a physical therapy aide allows a person to gain experience in the physical therapy field prior to enrolling in a physical therapy program. He discourages the Board from creating a list of patient related tasks that can be delegate to a physical therapy aide by the supervising physical therapist.

**14. *Public Forum on Proposed Physical Therapist Assistant Supervision Regulation 1398.44***

(A) Public Forum

President Chu opened the Public Forum on Proposed Physical Therapist Assistant Supervision Regulation 1398.44 for public and written comment.

(B) Board Discussion and Decision Board Discussion and Decision

Ms. Wilson explained the history of trying to develop new language for the physical therapist assistant supervision. She explained President Chu had directed her at the last meeting to review all the past drafts and take one more try at drafting this language. She reviewed and considered all the public input, emails, and the ideas of the previous task force to compile a new draft.

President Chu charged the Physical Therapy Practice Act Review Task Force to consider the comments that were received from by the Practice Issues Committee regarding the supervision of physical therapy students and applicants.

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Mark Soto, PT, does not understand the purpose of allowing a physical therapy student to supervise a physical therapist assistant. This would just add confusion to the consumer.

Vicki Erickson, PT, wants the Board to consider the management of the patient's care and not so much the supervision of the physical therapist assistant.

Rick Ritter, CPTA, PT, agrees the Board needs to focus on the patient's managed care, the establishment of the treatment plan and the reevaluation of the treatment plan. There should be a mechanism where you can transfer the responsibility as long as it is clearly documented.

Mr. Hartzell has concerns with section (e) of the draft language. This section would need to be more defined if remained as part of the draft language. His idea is to have a concept that the physical therapist is making sure the patient is receiving the care that is outlined in the treatment chart. This could actually be a different regulation separate from the physical therapist assistant regulation. He recommends having only section (a), (c), (d), in Ms. Wilson's draft language for the physical therapist assistant and then developing a separate regulation that defines the physical therapists responsibility.

President Chu directed Ms. Wilson to work with staff on another draft with Mr. Hartzell's suggestions and forward the draft to the Physical Therapy Practice Act Review Task Force for their review and comments.

Mr. Hartzell also recommends that the statute change to say the physical therapist is the primary person responsible for the physical therapy treatment provided to the patient.

### **15. *Public Forum on Proposed Patient Records Regulations 1399.85***

#### **(A) Public Forum**

President Chu opened the Public Forum on Proposed Patient Records Regulation 1399.85 to receive written or public comments.

Ms. Wilson reported the latest draft language is included in the agenda book and noted items (2), (7), (8) were changed the most.

Vicki Erickson, PT, requested an explanation to patient oriented communication in item (8) and item (4). Ms. Wilson responded it was for more clarification. Ms. Erickson will forward an example pertaining to Title 22 regulating weekly summaries in skilled nursing to Ms. Wilson.

President Chu responded that the regulations are written for the greatest common denominator as opposed to the least common denominator, which Title 22 applies to a small subsection of the physical therapy spectrum as far as services go.

Mark Soto, PT, echoes Ms. Erickson's concerns.

Ms. Marco reminded the Board they had decided to place the informed consent language in this regulation as previously discussed. Ms. Wilson agreed.

Patty Evans, CPTA, recommends changing item (2) to read Medical Diagnosis and Physical Therapist Diagnosis of Impairments, Functional Limitations, or Disabilities.

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Rick Ritter, CPTA, agrees with Ms. Evans and adds to Functional Limitation or Disabilities that are an indication for physical therapy intervention.

Patty Evans, CPTA, informed the Board the CPTA is not planning on introducing language for 1-2 years that addresses Physical Therapy Diagnosis.

### (B) Board Discussion and Decision

Ms. Wilson will take all the comments received today and provide a draft to the Physical Therapy Practice Act Review Task Force.

## **16. *Public Forum on Adding a Physical Therapist Assistant as a Board Member***

### (A) Public Forum

President Chu opened the Public Forum on Adding a Physical Therapist Assistant as a Board Member to receive written and public comments.

President Chu reported on the emails included in the agenda book commenting on a physical therapist assistant becoming a Board member.

Patty Evans, PT, in speaking for herself and not the CPTA does not agree with how the physical therapist assistants in their emails are distinguishing themselves as professionals. That is the role of the physical therapist. It needs to be made very clear to the profession that the physical therapists are the professionals and the physical therapist assistants are the technicians. The reason is that the professional has a unique body of knowledge and skill that requires exquisite discretionary judgment for each client or patient. That is the role of the physical therapist.

Patty Evans, CPTA, posed a question to the Board is there any other Boards that are similar to ours that have technicians as Board members making decisions on the professional practice?

Mr. Miller responded the Dental Board has a smaller committee structure for dental auxiliaries.

Mr. Hartzell commented that since physical therapist assistants are licensed and therefore regulated “shouldn’t they have a voice pertaining to their license?”

Randi Woodrow believes it is valuable to have a physical therapist assistant on the Board.

### (B) Board Discussion and Decision

Moved by Randi Woodrow, Seconded by James Turner to pursue including a physical therapist assistant as a Board member as part of the Sunset Review. Vote: 5-0. Motion Carried.

RECESS UNTIL 8:30 A.M. Friday, November 5, 2004

***Friday, November 5, 2004                      8:30 A.M.***

## **17. Call to Order and Roll Call**

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President Donald Chu called the meeting of the Physical Therapy Board of California to order at 8:35 a.m. Roll call was taken.

Donald Chu  
James Turner  
Ellen Wilson  
Julie Brandt  
Lorraine Kimura  
Randi Woodrow

All members except Julie Brandt were present.

**18. Deliberation and Discussion on Stipulated Settlements, Proposed Default Decisions, Proposed Decisions, Non-Adoption of Proposed Decision, Petitions for Reconsideration – CLOSED SESSION (per Title 2, Division 3, Part 1, Section 11126(c)(3) of the Government Code)**

**18A) Petition for Penalty Relief**

Petition for Termination of Probation Hearing – Nora Shamsi, PT

- a) Deliberation and Decision – CLOSED SESSION (per Title 2, Division 3, Part 1, Section 11126(d) of the Government Code)

The Board's decisions are available upon written request.

**18B) Deliberation and Discussion on Stipulated Settlements, Proposed Default Decisions, Proposed Decisions, Non-Adoption of Proposed Decision, Petitions for Reconsideration – CLOSED SESSION (per Title 2, Division 3, Part 1, Section 11126(c)(3) of the Government Code)**

- a) Mary Tresler, PT
- b) Michael Schultz, PTA

The Board's decisions on matters discussed in closed session are available on the web site at [www.ptb.ca.gov](http://www.ptb.ca.gov) once they are made public.

**19. Strategic Planning – Arlyce Ten Broeck**

**(A) Strategic Planning Matrix Chart**

Mr. Hartzell reported on the Matrix Chart included in the agenda book and reviewed the items in process and completed.

Ms. Marco updated members on the status of the examination contract with Office Examination Resources (OER), the cost involved, and the process of the item-writing workshop for the California Law Examination.

Mr. Hartzell's overall plan is to have the California Law Examination available on the Internet.

Rick Ritter suggested putting together a consumer awareness checklist that identifies "What a Consumer Should Look for When Receiving Physical Therapy Treatment".



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**20. Consumer and Professional Associations and Intergovernmental Relations – *Steve Hartzell***

- (A) California Physical Therapy Association (CPTA)
- (B) Federation of State Boards of Physical Therapy
- (C) California Consumer Affairs Association
- (D) Department of Consumer Affairs
- (E) Citizen Advocacy Center

Mr. Hartzell reported the Citizen Advocacy Center conference was held out-of-state this year. Unfortunately, DCA has not been approving out-of-state travel, which has not allowed a representative from the Board to attend their conference this year.

- (F) California Board of Occupational Therapy

Ms. Marco reported she would be attending their next meeting on December 10 in San Francisco.

- (G) Board of Chiropractic Examiners

Mr. Hartzell directed members to Mike McCormick's Briefing Paper included in the agenda book.

Patty Evans, CPTA, recommends the Board follow Speech-Language Pathology and Audiology Board especially pertaining the issue on electrical stimulation for dysphasia.

Ms. Kimura clarified it is dysphasia intervention or treatment for dysphasia that within the global term it is within the Speech-Language Pathology and Audiology Board's scope of practice.

The Board directed staff to follow the Speech-Language Pathology and Audiology Board.

**21. Licensing Committee – *Ellen Wilson, PT, James Turner, Randi Woodrow, PT, Donald Chu, PhD., PT***

- (A) Report on Committee Actions
- (B) Discussion and/or Action on Committee Recommendations
- (C) Review and Decision on Joseph Silny & Associates as one of the Board Approved Credential Evaluation Services

The Licensing Committee Meeting bullets are included at the end of the meeting minutes.

**22. Practice Issues Committee - *Lorraine Kimura, PT, Julie Brandt, Donald Chu, PhD., PT***

- (A) Report on Committee Actions
- (B) Discussion and/or Action on Committee Recommendations

The Practice Issues Committee meeting bullets are included at the end of the meeting minutes.

**23. Development of Complaint Mediation Program – *Steven K. Hartzell***

Mr. Hartzell will forward this to the next meeting.

**24. Expert Consultants – *Rebecca Marco***

Ms. Marco reported on the expert consultant handout that outlines the criteria and how the expert consultant will be utilized. She explained the importance of hiring and having an expert consultant on hand in the office to

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assist staff in reviewing enforcement cases. Ms. Marco explained she is currently researching the process of recruiting for this position.

Mr. Hartzell explained the intent of this position is to have longevity with an expert consultant. He also explained the Board can either choose to contract with a person through the official contract process or utilize an expert consultant as the Board is currently doing for this position. The benefit of having a contract is the person would be in a written commitment for a certain period of time.

If the Board approves hiring an individual to serve the Board in this capacity the Board would need to identify the criteria and which process the Board would like to choose in hiring this individual to serve as an expert consultant to the Board. Ms. Marco will bring this issue back to the January meeting to update the members on the recruiting. S asked the members if they have anyone in mind for this position to please email her.

### **25. Disciplinary Action Report – *Donald Chu, PhD, PT***

President Chu reported on the Disciplinary Action Report included in the agenda book.

### **26. Legislation**

#### **A) Chaptered Legislation**

Mr. Hartzell indicated there currently is no chaptered legislation to report on.

#### **B) Other legislation**

Mr. Hartzell reported he was not aware of any specific proposals.

### **27. Election of 2005 Board President and Vice-President**

Ms. Kimura nominated Donald Chu to be the 2005 Board President.

Moved by Lorraine Kimura, Seconded by James Turner to reelect Donald Chu as the 2005 Board President. Vote: 5-0. Motion Carried.

Ms. Woodrow nominated Lorraine Kimura as the Board's Vice-President.

Moved by Randi Woodrow, Seconded by Ellen Wilson to elect Lorraine Kimura as the 2005 Board Vice-President. Vote: 5-0. Motion Carried.

### **28. Election of 2005 FSBPT Delegate and Alternate Delegate**

Moved by Ellen Wilson, Seconded by Lorraine Kimura to elect Donald Chu as delegate. Vote: 5-0. Motion Carried.

Moved by Ellen Wilson, Seconded by Randi Woodrow to elect Lorraine as alternate delegate. Vote: 5-0. Motion Carried.

Moved by Lorraine Kimura, Seconded by Ellen Wilson to elect all other members and Executive Officer as alternate delegates. Vote: 5-0. Motion Carried.

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**29. Items for Next Meeting Agenda and Public Address**

(A) PTBC Meeting – January 27 & 28 2005 in San Diego at the Shelter Pointe Hotel and Marina

**30. Adjournment**

The meeting of the Physical Therapy Board of California adjourned at 12:00 p.m.

Moved by Randi Woodrow, Seconded by James Turner to approve the November 4 & 5, 2004 Board meeting minutes. Vote: 6-0. Motion carried on January 27, 2005 Board meeting.

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President Donald Chu, PhD, PT

Date

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**Licensing Committee Meeting Bullets**  
**November 4, 2004**

- ☐ Jonas Faghihi needs to satisfy deficiencies in General Education, Pediatrics and Integumentary Examination/Evaluation.
- ☐ Ruth Erkens needs to satisfy deficiencies in General Education, Integumentary Evaluation & Intervention, Human Anatomy and Human Physiology (which can be satisfied via Board approved CE courses).
- ☐ Aanu Osuntola doesn't qualify for licensure as a physical therapist, but could possibly qualify for PTA licensure. Staff will review credentials based on the PTA Candidate Checklist.
- ☐ The Waiver Request for Sandra Hermanson was approved.
- ☐ Staff informed the Licensing Committee that the credential evaluation services were told to begin implementing the ELEERs and the new and revised PTA Candidate Checklist.
- ☐ The response from Josef Silny & Associates was reviewed. The issue with Josef Silny & Associates is closed and they will remain on the list of approved credential evaluation services (staff will submit letter to Josef Silny & Associates).
- ☐ Staff will initiate collecting statistics on specific educational deficiencies and begin developing spreadsheets to show various trends in credential reviews.
- ☐ Dr. Chu will be forming a study/focus group to look at ways to involve/inform accredited PT schools on the need for them to allow foreign educated applicants to satisfy professional education deficiencies at their schools.

The Licensing Committee Meeting Bullets were approved by Chairperson Ellen Wilson, PT.

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### PRACTICE ISSUES MEETING BULLETS

November 4, 2004

#### 1. Approval of August 2, 2004 Practice Issues Meeting Bullets

The Board approved the meeting bullets as written since the entire Board participated in the Practice Issues Committee discussion.

#### 2. Practice Issues Inquiries –

**(A) Inquiry:** When a physical therapist is working within the public school system can the IEP team, without the knowledge or permission of the physical therapist, change the written treatment goals or frequency of treatment? – Kathryn Marsh, PT

**Committee's Response:** Approve draft response letter with the following changes: add in the response that this only addresses the physical therapy portion of the IEP; only a physical therapist can modify the treatment plan and goals; and add to paragraph 4 that even a licensed physical therapist assistant cannot alter the patient's treatment plan and goal.

**(B) Inquiry:** Can physical therapist assistants do group treatment or concurrent treatments? What is the difference between group and concurrent treatments in a Skilled Nursing Facility setting? – Randy Hernando, PTA

**Committee's Response:** Approve draft response letter with the following changes: Add a paragraph that address that if questions are related to reimbursement of care, please contact the appropriate third party payor for clarification of their reimbursement policies and that the Board does not regulate billing.

**(C) Inquiry:** Clarification on the use of ATC's providing medical treatment/physical therapy. – George Wolff, PT

**Committee's Response:** Approve draft response with the following changes: only send the Appellate District Court ruling on medical assistants and Legal Counsel's clerical revisions.

**(D) Inquiry:** Can a physical therapist assistant perform an environmental assessment in a patient's home with the patient? – Jan Adduci

**Committee's response:** Committee directed staff to write a response indicating the following: No, a physical therapist assistant cannot perform an evaluation of the patient's home with the patient. An assessment is part of an evaluation, which is the physical therapists responsibility. The word assessment implies making a judgment and a determination. It is the physical therapists responsibility to determine the safety and how the patient functions in their home.

**(E) Inquiry:** When there are physical therapists from other states involved with providing a course and they practice a hands on technique, with the instructor there, does the physical therapist taking the course document and sign the chart and then does the instructor sign the cart taking the responsibility for the treatment? – Melinda Guttry (inquiry was presented at the meeting)

**Committee's response:** The Committee moved this inquiry to the January 2005 meeting to allow staff adequate time to research more information on physical therapists licensed in other states instructing courses and providing treatment during the duration of the course in California.

**(F) Inquiry:** Will the Physical Therapy Board review and consider changes to the Practice Act as it relates to the role, scope, and functions of the PTLA, interns and students to permit supervision of assistants and aides under the joint supervision of a licensed physical therapist? – Paul D. Smith, PT

**Committee's response:** The Committee forwards this inquiry to the Physical Therapy Practice Act Review Task Force for their consideration.

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